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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/711,926	10/13/2004	Suzanne Berlin	03292.102030	5925
66569 7590 01/09/2008 FITZPATRICK CELLA (AMEX) 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			EXAMINER TSUI, WILSON W	
			ART UNIT 2178	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/711,926

Applicant(s)

BERLIN ET AL.

Examiner

Wilson Tsui

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 18-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 18-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to the amendment filed on: 10/23/2007.
2. Claims 18 and 23 are amended. Claims 1-17 are cancelled. Claims 18-27 are pending.
3. Claims 18-27 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Davis et al, in view of Ferrel et al.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 18-27 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Davis et al (US Patent: 7076728, Issued: Jul. 11, 2006, filed: Dec. 22, 2000), in view of Ferrel et al (US Patent: 5,860,073, issued: Jan. 12, 1999, filed: Jul. 17, 1995),

With regards to claim 18, Davis et al teaches a method comprising:

Obtaining an XML tag identifying a selected webpage interface element, wherein the XML tag is utilized in a plurality of webpages to identify a plurality of occurrences of the selected webpage interface element (*column 9, lines 25-46: whereas, an XML tag is obtained, such that each XML tag identifies a selected webpage interface element/fragment*)

Accessing a configuration file corresponding to the XML tag, and stored on a centralized server (column 9, lines 25-46: whereas a style sheet file is referenced by a fragment), wherein the configuration file provides data formatting rules for the selected webpage interface element (column 22, lines 5-10: whereas formatting rules are in a style sheet for a web interface element), based on the XML tag (column 1, lines 35-54: whereas rules are applied with respect to xml markup). Additionally, the stylesheet(s) are stored/checked-in to a server, And the server stores the stylesheet(s) and data (column 9, lines 10-45).

Formatting rules from the configuration file changes an appearance of the selected webpage interface element in the plurality of web pages (column 1, lines 35-54, and column 22, lines 5-10: whereas formatting rules in a stylesheet/configuration-file changes the appearance of the web interface element).

However, Davis et al does not expressly teach:

Editing the configuration file to change the data formatting rules for the selected web page interface element, and wherein the changed data formatting rules resulting from the edited configuration file changes an appearance of the selected webpage interface element in the plurality of web pages.

Ferrel teaches *editing the configuration file to change the data formatting rules for the selected page element (column 7, lines 19-27: whereas a stylesheet/configuration file can be edited to change the formatting rules of a page element).*

Wherein the changed data formatting rules resulting from the edited configuration file changes an appearance of the selected page interface element in a plurality of pages

(column 7, lines 19-27: whereas, a stylesheet/configuration file that is edited, will update the appearance of a page element).

It would have been obvious to one of the ordinary skill in the art at the time of the invention to have modified Davis et al's configuration file/XSL file, such that the configuration file can be modified, as taught by Ferrel. The combination of Davis et al, and Ferrel would have allowed Davis et al to have reduced 'the difficulty to update the styles of objects [such that] the content of the information is separated from the layout' (Ferrel, column 3, lines 1-6).

With regards to claim 19, which depends on claim 18, Davis et al teaches *storing a plurality of configuration files corresponding to the plurality of web pages in a database* (column 9, lines 25-46: whereas a plurality of stored stylesheets/configuration-files correspond to a plurality of web pages).

With regards to claim 20, which depends on claim 20, Davis et al and Ferrel teach *editing the configuration file*, as similarly explained in the rejection for claim 20.

Additionally, Davis et al teaches *determining a file type of the XML tag, wherein the editing of the configuration file is based on the determined file type of the XML tag* (whereas a configuration file/DTD is edited to specify/identify the type of fragment (specified through XML, as explained in column 10, lines 6-20), that includes compound fragments (such that a compound fragment can include/refer to file types such as HTML).

It would have been obvious to one of the ordinary skill in the art at the time of the invention to have modified Davis et al, and Ferrel's configuration file, such that the

configuration file would also include the use of a DTD to specify a type data, as also taught by Davis et al. The combination of Davis et al and Ferrel would have allowed Davis et al to have 'specified the appropriate document type' (Ferrel, column 10, line 11).

With regards to claim 21, which depends on claim 20, Davis et al teaches *wherein the file type is one of JSP, HTML, ASP and PHP*, as similarly explained in the rejection for claim 20, and is rejected under similar rationale.

With regards to claim 22, which depends on claim 18, Davis et al teaches *wherein the selected webpage interface element is one of: a user-input field; a graphics box, a button, a check box, a radio box, a text field, a menu, a list, and a drop-down box* (column 11, lines 18-39: *whereas a selected web page interface element includes checkboxes/check marks, and drop-down boxes/menus*).

With regards to claim 23, Davis et al teaches a system comprising:

A processor, a memory, and control logic (column 4, lines 45-67).

Additionally, Davis et al and Ferrel teach ... causing the processor to:

Obtain an XML tag identifying a selected webpage interface element, wherein the XML tag is utilized in a plurality of webpages to identify a plurality of occurrences of the selected webpage interface element; access a configuration file corresponding to the XML tag, wherein the configuration file provides data formatting rules for the selected webpage interface element, based on the XML tag; and edit the configuration file to change the data formatting rules for the selected webpage interface element, wherein the changed data formatting rules resulting from the edited configuration file changes an

appearance of the selected webpage interface element in the plurality of webpages, as similarly explained in the rejection for claim 1, and is rejected under similar rationale.

With regards to claim 24, which depends on claim 23, for a system performing a method similar to the method of claim 19 is rejected under similar rationale.

With regards to claim 25, which depends on claim 23, for a system performing a method similar to the method of claim 20, is rejected under similar rationale.

With regards to claim 26, which depends on claim 25, for a system performing a method similar to the method of claim 21, is rejected under similar rationale.

With regards to claim 27, which depends on claim 23, for a system performing a method similar to the method of claim 22, is rejected under similar rationale.

Response to Arguments

5. Applicant's arguments filed 10/23/07 have been fully considered but they are not persuasive.

6. With regards to claim 18, the applicant argues that Davis et al does not teach the amended configuration file [which] can be stored on a central server. However, this argument is not persuasive since, as similarly explained in the above rejection, Davis et al teaches the stylesheet(s)/configuration file(s) are stored/checked-in to a server, and the server stores the stylesheet(s) and data (column 9, lines 10-45). Thus, the configuration file(s) are stored and accessed on a central server, and the applicant's argument is not persuasive.

The applicant further argues that Ferrel et al teaches away from the practice of updating a central format file, and having the rendered web page transmitted to the

clients under the rationale of keeping transmission overhead down. However, In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Ferrel encourages the use of efficient delivery when using style sheets/ configuration-files, as taught in column 3, lines 20-27. Furthermore, as explained above, it is Davis et al who also teaches the use of a central configuration file, for publishing documents (Abstract, and column 9, lines 10-45). Thus, since both references are in the same problem solving area, and are analogous art, then there is sufficient reason/motivation for the combination.

7. With regards to claim 23, for being allowable, for reciting similar limitations as claim 18, is not persuasive since claim 18 has been shown/explained to be rejected.

8. With regards to claim 19-22, and 24-27, for being allowable since they depend on either claim 18, or claim 23, is not persuasive, since claims 18 and 23 have been explained/shown to be rejected.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wilson Tsui whose telephone number is (571)272-7596. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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W. T. *12/31/07*
Wilson Tsui
Patent Examiner
Art Unit 2178
December 31, 2007

Cesar Paula
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PRIMARY EXAMINER